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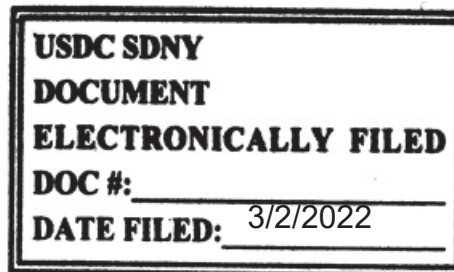
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March 2, 2022

## VIA ECF

The Honorable Robert W. Lehrburger  
United States Magistrate Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007



Re: *Brittain v. Trustees of Columbia University in the City of New York*,  
No. 20-cv-9194 (S.D.N.Y.)

Dear Judge Lehrburger:

We write jointly on behalf of the parties in the above-captioned action to respectfully request that the time for the parties to update the Court on the progress of settlement discussions be extended for a second time, from March 3 to March 31, 2022, and that the stay of the case similarly be continued from March 4 to April 1, 2022. *See* ECF 81 (granting first request).<sup>1</sup>

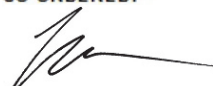
It was the parties' expectation, as expressed in our letter to Your Honor dated February 17, 2022 (ECF 79), that we would know the number of opt-outs in *In re Columbia University Tuition Refund Action*, No. 20 Civ. 3208 (S.D.N.Y.) (Furman, J.), once the opt-out deadline of February 21 had passed. However, the President's Day holiday on February 21 combined with the effort that was required to review the opt-outs received in *In re Columbia* made it so that it was not until earlier this week that the approximate number of opt-outs who are also putative class members in this case was identified. *See id.*, ECF 111 at 3 (estimating the number of SOA opt-outs at approximately 296). That number is still being verified with the Settlement Administrator in *In re Columbia*.

As a result, the parties have not had sufficient time for further settlement discussions based on the number of opt-outs. The parties therefore respectfully request that the time for the parties to update the Court on the progress of settlement discussions be extended to March 31.

Respectfully submitted,

  
Gabrielle E. Tenzer

SO ORDERED:

 3/2/2022  
HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

cc: Counsel of Record

<sup>1</sup> The parties acknowledge Your Honor's Individual Practice I.F. and would have submitted this letter sooner, but Ms. Kaplan is currently out of the office and Ms. Tenzer's mother has unexpectedly been in the hospital since Monday, February 28.